

IN THE UNITED STATES DISTRICT COURT FOR THE

FILED

NORTHERN DISTRICT OF CALIFORNIA

JUN 24 2011

SAN FRANCISCO DIVISION

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HARD DRIVE PRODUCTIONS, INC)

No. C-11-01566 JCS

Plaintiff)

Doe IP Address 24.4.56.130's

v.)

**MOTION TO SQUASH
SUBPOENA**

DOE IP Address 24.4.56.130)

Defendant)

PRELIMINARY STATEMENT

Pursuant to Federal Rule of Civil Procedure 45, Doe IP Address 24.4.56.130 (Defendant) hereby responds and objects to the subpoena issue by Hard Drive Productions, Inc. (Plaintiff). The information hereinafter set forth is true and correct to the best knowledge of Doe IP Address 24.4.56.130 as of this date, and is subject to correction for errors, or omissions. These responses are based upon records and information presently available to Doe IP Address 24.4.56.130. Doe IP 24.4.56.130 undertakes no affirmative duty to supplement these responses based upon further discovery and investigations other than as mandated by the Federal Rules.

GENERAL OBJECTIONS

1. Defendant objects to the extent that Plaintiff's subpoena is overbroad, unduly burdensome, and/or oppressive.
2. Defendant objects to the Plaintiff's subpoena to the extent that Defendant has no knowledge or recollection of what Hard Drive Productions is or does or whom it represents.
3. Defendant objects to the Plaintiff's subpoena to the extent that Defendant has no knowledge or recollection of ever downloading or uploading any movie whatsoever, from any entity, much less at 2:26:31 AM
4. Defendant objects to the Plaintiff's subpoena to the extent that the Plaintiff is alleging without presenting proof that an individual or individuals in the physical location of IP Address 24.4.56.130 downloaded or uploaded a movie illegally.
5. Defendant objects to the Plaintiff's subpoena to the extent that the Plaintiff should have reasonable knowledge and understanding that an individual or individuals outside a building might access wireless signals from modems located within said building.
6. Defendant strongly objects to the Plaintiff's subpoena to the extent that Plaintiff cannot without a reasonable doubt know if the alleged infringement on Hard Drive Productions, Inc.'s copyrights was done by an occupant of the physical location of IP Address 24.4.56.130, or by someone outside the premises.

7. Defendant strongly objects to the Plaintiff's subpoena to the extent that the Plaintiff never attempted to contact Defendant through the ISP, seeking payment for the alleged infringement first rather than proceed with filing a lawsuit.

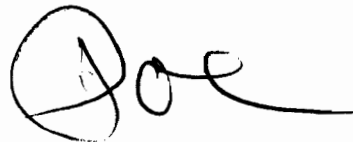
CONCLUSION

WHEREFORE, Doe IP Address 24.4.56.130 respectfully requests the Court quash the Subpoena to produce documents, information, or objects or to permit inspections of premises in a civil action.

Respectfully submitted,

DATE: _____

6/24/2011

A handwritten signature in black ink, appearing to be the word "Doe" in a stylized, cursive script.

By: Doe IP Address 24:4:56:130